

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 1:02CR00045-001
)	
Plaintiff,)	JUDGE JAMES S. GWIN
)	
v.)	
)	
THEODORE M. ALEXANDER, JR.,)	ORDER
)	
Defendant.)	
)	

This matter was heard on May 4, 2015 upon the request of the United States Pretrial and Probation Office for a finding that defendant had violated the conditions of his supervised release. The defendant was present and represented by Attorney Kevin M. Cafferkey.

The violation report was referred to Magistrate Judge George J. Limbert to conduct appropriate proceedings and for the issuance of a Report and Recommendation. The Defendant admitted to the violations and a Report and Recommendation was filed April 7, 2015 (Doc. 136), and no objections have been filed.

The Court entertained statements from counsel for the parties, the Defendant and the supervising officer. The Court adopted the Report and Recommendation and found the following terms of supervision had been violated:

1:02CR00045-001

Theodore M. Alexander, Jr.

Gwin, J.

1. **New Law Conviction** - On 05/13/2014, plea of guilty, in CR 577889, to Obstructing Justice (M1); Possessing Criminal Tools (M1); Failure to Comply with Order Signal of Police Officer (M2) in Cuyahoga Court of Common Pleas.
2. **New Law Conviction** - On 10/07/2014, plea of guilty, in CR 586837, to Unauthorized Use of a Motor Vehicle.
3. **Illicit Drug Use** - On 12/19/2013, the offender submitted a urine specimen that tested positive for Benzoylecgonine. Results were certified by The National Testing Lab on 01/09/2014.
4. **Failure to Pay Restitution** - Mr. Alexander has failed to make payments toward his restitution.

The Court noted the violations to be Grade C, and a Criminal History Category of VI. The Court sentences Defendant to successfully complete state community control sanction, including placement at The Judge Nancy R. McDonnell Community Based Correctional Facility (CBCF). Defendant is subject to state custody until a bed opens at CBCF. Once Defendant has successfully completed the CBCF program, supervised release in the current case will terminate as Defendant will otherwise be under state control, and any federal supervised release would be duplicative of his five years of state supervision. The Defendant is remanded to the custody of the U.S. Marshal, Cleveland, Ohio.

IT IS SO ORDERED.

Dated: May 5, 2015

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE